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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERRYONN DESHANN PUGH;

Plaintiffs,

v.

CITY OF ANTIOCH, a municipal corporation; TAMMANY BROOKS, individually and in his official capacity as police chief for the CITY OF ANTIOCH; TONY MOREFIELD, individually and in his official capacity as interim police chief for the CITY OF ANTIOCH; STEVEN FORD, individually and in his official capacity as police chief for the CITY OF ANTIOCH; MATTHEW NUTT, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; JOSH EVANS, individually and in his official capacity as a police sergeant for the CITY OF ANTIOCH; ERIC ROMBOUGH, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; MORTEZA AMIRI, individually and in his official

Case No.: 3:24-cv-01774-VC

Related to Case No.
3:23-cv-01895-VC

**[PROPOSED] ORDER GRANTING
DEFENDANTS ANDREA RODRIGUEZ AND
CALVIN PRIETO'S MOTION TO DISMISS
THE COMPLAINT**

Date: August 22, 2024
Time: 10:00 a.m.
Courtroom 4 – 17th Floor

Hon. Vince Chhabria

capacity as a police officer for the CITY OF ANTIOCH; SCOTT DUGGAR, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; TIMOTHY MANLY WILLIAMS, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; THOMAS SMITH, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; CALVIN PRIETO, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; ANDREA RODRIGUEZ, individually and in her official capacity as a police officer for the CITY OF ANTIOCH; JONATHAN ADAMS, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; ROBERT GERBER, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; Officer MARCOTT, individually and in his official capacity as a police officer for the CITY OF ANTIOCH; and DOES 1-100, inclusive,

Defendants.

The motion by Defendants Andrea Rodriguez and Calvin Prieto (“Defendants”) seeks dismissal of the Fourth Amendment (First Cause of Action), bias (Second Cause of Action), malicious prosecution (Third Cause of Action), and conspiracy (Fifth Cause of Action) claims because they are barred by the statute of limitations, *Heck*, and/or are otherwise inapplicable.

This motion came on regularly scheduled hearing on August 22, 2024 at the above-entitled Court, located at 450 Golden Gate Avenue, San Francisco, CA 94102. Castillo Moriarty Tran & Robinson and Davis, Bengtson & Young, appeared on behalf of Defendants and Plaintiff Terryonn Pugh (“Plaintiff”) appeared with his counsel of record.

Having considered the papers in regard to this motion, and after oral argument, the Court hereby rules as follows:

The Defendants’ motion is GRANTED:

This motion presents the following issues:

1 1. Plaintiff's First, Second, Third, and Fifth Causes of Action are dismissed with
2 prejudice as to Defendants Andrea Rodriguez and Calvin Prieto.

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4 IT IS SO ORDERED.

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8 DATED: _____

By: _____

9 Judge Vince Chhabria

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